

§ 201.1001

from new cases being instituted, appealed or remanded to the Commission and decreases in the caseload arising from the disposition of proceedings by issuance of initial decisions, issuance of final decisions issued on appeal of initial decisions, other dispositions of appeals of initial decisions, final decisions on review of self-regulatory organization determinations, other dispositions on review of self-regulatory organization determinations, and decisions with respect to stays or interlocutory motions. For each category of decision, the report shall also show the median age of the cases at the time of the decision and the number of cases decided within the guidelines for the timely completion of adjudicatory proceedings.

[60 FR 32796, June 23, 1995, as amended at 68 FR 35789, June 17, 2003; 70 FR 72570, Dec. 5, 2005]

17 CFR Ch. II (4–1–12 Edition)

Subpart E—Adjustment of Civil Monetary Penalties

AUTHORITY: 28 U.S.C. 2461 note.

SOURCE: 61 FR 57774, Nov. 8, 1996, unless otherwise noted.

§ 201.1001 Adjustment of civil monetary penalties—1996.

As required by the Debt Collection Improvement Act of 1996, the maximum amounts of all civil monetary penalties under the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 are adjusted for inflation in accordance with Table I to this subpart. The adjustments set forth in Table I apply to violations occurring after December 9, 1996 and before February 2, 2001.

[66 FR 8762, Feb. 2, 2001]

TABLE 1 TO SUBPART E OF PART 201—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. code citation	Civil monetary penalty description	Year penalty amount was last set by law	Original statutory maximum penalty amount	Adjusted maximum penalty amount
SECURITIES AND EXCHANGE COMMISSION: 15 USC 77(d)	FOR NATURAL PERSON	1990	\$5,000	\$5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	100,000	110,000
	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	500,000	550,000
	15 USC 78ff(b) EXCHANGE ACT/FAILURE TO FILE INFORMATION DOCUMENTS, REPORTS.	1936	100	110
	15 USC 78ff(c)(1)(B). FOREIGN CORRUPT PRACTICES—ANY ISSUER	1988	10,000	11,000
	15 USC 78ff(c)(2)(C). FOREIGN CORRUPT PRACTICES—ANY AGENT OR STOCKHOLDER ACTING ON BEHALF OF ISSUER.	1988	10,000	11,000
	15 USC 78u–1(a)(3). INSIDER TRADING—CONTROLLING PERSONS	1988	1,000,000	1,100,000
	15 USC 78u–2 FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES TO OTHERS/GAINS TO SELF.	1990	100,000	110,000
	FOR ANY OTHER PERSONS/SUBSTANTIAL LOSSES TO OTHERS/GAIN TO SELF.	1990	500,000	550,000
15 USC 78u(d)(3).	FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	100,000	110,000

Securities and Exchange Commission

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U.S. code citation	Civil monetary penalty description	Year penalty amount was last set by law	Original statutory maximum penalty amount	Adjusted maximum penalty amount
15 USC 80a–9(d).	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	500,000	550,000
	FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
15 USC 80a–41(e).	FOR NATURAL PERSON/SUBSTANTIAL LOSSES TO OTHERS/GAINS TO SELF.	1990	100,000	110,000
	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES TO OTHER/GAINS TO SELF.	1990	500,000	550,000
	FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
15 USC 80b–3(i).	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	100,000	110,000
	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	500,000	550,000
	FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
15 USC 80b–9(e).	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES TO OTHERS/GAIN TO SELF.	1990	100,000	110,000
	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES TO OTHERS/GAIN TO SELF.	1990	500,000	550,000
	FOR NATURAL PERSON	1990	5,000	5,500
	FOR ANY OTHER PERSON	1990	50,000	55,000
	FOR NATURAL PERSON/FRAUD	1990	50,000	55,000
	FOR ANY OTHER PERSON/FRAUD	1990	250,000	275,000
	FOR NATURAL PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	100,000	110,000
	FOR ANY OTHER PERSON/SUBSTANTIAL LOSSES OR RISK OF LOSSES TO OTHERS.	1990	500,000	550,000

§ 201.1002 Adjustment of civil monetary penalties—2001.

As required by the Debt Collection Improvement Act of 1996, the maximum amounts of all civil monetary penalties under the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of

1940, and the Investment Advisers Act of 1940 are adjusted for inflation in accordance with Table II to this subpart. The adjustments set forth in Table II apply to violations occurring after February 2, 2001.

[66 FR 8762, Feb. 2, 2001]

TABLE II TO SUBPART E OF PART 201—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Civil monetary penalty description	Year penalty amount was last adjusted	Maximum penalty amount pursuant to 1996 adjustment	Adjusted maximum penalty amount
Securities and Exchange Commission:				
15 USC 77t(d)	For natural person	1996	\$5,500	\$6,500
	For any other person	1996	55,000	60,000
	For natural person/fraud	1996	55,000	60,000
	For any other person/fraud	1996	275,000	300,000